

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

PETER SINCLAIR,
Plaintiff,

v.

RONALD RADIO,
Defendant.

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CIVIL ACTION NO. 24-CV-1514

ORDER

AND NOW, this 21st day of June, 2024, upon consideration of Plaintiff Peter Sinclair's second Motion to Proceed *In Forma Pauperis* (ECF No. 6), *pro se* Complaint (ECF No. 2), and Emergency Motion for Order (ECF No. 8), it is **ORDERED** that:

1. Leave to proceed *in forma pauperis* is **GRANTED** pursuant to 28 U.S.C. § 1915.
2. The Complaint is **DEEMED** filed.
3. The Complaint is **DISMISSED IN PART WITH PREJUDICE AND IN PART**

WITHOUT PREJUDICE for the reasons stated in the Court's Memorandum as follows:

a. Sinclair's constitutional claims are **DISMISSED WITH PREJUDICE**;

b. All claims asserted on behalf of the Estate of Donna Radio are

DISMISSED WITHOUT PREJUDICE;

c. Sinclair's state law claims are **DISMISSED WITHOUT PREJUDICE**

for lack of subject matter jurisdiction.

4. Sinclair's Emergency Motion for Order is **DENIED**.

5. The Clerk of Court is **DIRECTED** to **CLOSE** this case.

BY THE COURT:

/s/ John M. Gallagher

JOHN M. GALLAGHER, J.